GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

STARRED QUESTION NO:93
ANSWERED ON:28.07.2006
VACANT POST OF JUDGES
Moghe Shri Krishna Murari;Reddy Shri Mekapati Rajamohan

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the sanctioned strength of Judges in various High COurts an the Supreme Court of India;

(b) the number of posts of Judges lying vacant in various courts as on date, Court-wise;

(c) the reasons for non filling up the vacant posts;

(d) whether a large number of civil, criminal and other cases are pending in the Supreme Court and various High Courts;

(e) if so, the details thereof alongwith the reasons for pending cases as on date,State-wise and age-wise;

(f) the steps being taken by the Government to fill the vacant posts of Judges and for speedy disposal ong pending cases in courts?

Answer

THE MINISTER OF THE LAW AND JUSTICE (SHRI H.R. BHARDWAJ):

(a) to (f) The sanctioned Strength of Judges in Supreme Court of India and the High Courts, the number of post lying vacant in various courts as on 24.07.2006 and the number of cases pending in various High Courts (as per details made available to the Government) are given in statement enclosed.Filling up of vacancies in the High Courts is a continuous, consultative process among the Constitutional authorities. While every effort is made to fill up the existing vacancies expeditiously, vacancies do keep arising on account of retirements, resignation or elevation of Judges.After the Supreme Court Judgment of October 6. 1993 in the Supreme Court Advocates-on-Record & Anr.Vs.Union of India, read with the Advisory Opinion of October 28, 1998, the entire process of initiation of proposal for appointment of a Judge of a Supreme Court lies with the Chief Justice of India and for the appointment of a Judge of a High Court, with the Chief Justice of that High Court. Government has been periodically reminding the Chief Justices of High Courts, the Chief Justice of India the Chief Ministers of the States to initiate proposals for filling up all vacant posts of judges in the High Courts.The pendency of cases in the Courts could be ascribed to various factors, which /nter- a/ia, include vacancies of Judges, new legislations, substantial increase in fresh institution of cases, rise in population, heightened awareness of rights on the part of the citizens, granting of adjournments, industrial development in the country, increase in trade and commerce and socio-economic matters, legislative and administrative aspects touching on the life of citizens, lawyers` strikes etc. I Various steps have been taken by the Government for the speedy disposal of cases which include setting up of fast track courts, amendment to the Civil Procedure Codes, permanent adalats for disputes relating to public utilities, increase in the number of posts of Judges, establishment of special courts/tribunals, improvement in the standard of legal education, adoption of alternative modes of disputes resolution, such as arbitration and conciliation.